

REMARKS/ARGUMENTS

Claims 1-19 are pending in this application. Claims 1-13 stand rejected. By this Amendment, claims 1-13 have been amended and new claims 14-19 have been added. No new matter has been added. The amendments made to claims 1-13 do not alter the scope of these claims, nor have these amendments been made to define over the prior art. Rather, the amendments to the claims have been made for cosmetic reasons to improve the form thereof. In light of the amendments and remarks set forth below, Applicant respectfully submits that each of the pending claims is in condition for immediate allowance.

Support for the amendments to the claims and new claims 14-19 can be found at least in the claims as filed and Fig. 2 with its associated disclosure.

Claims 1-3 stand rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 6,152,688 ("Staab"). Applicant respectfully requests reconsideration and withdrawal of this rejection.

Among the limitations of independent claim 1 not present in Staab is "outlet ducts connected to the partially annular ducts, the rings of the blade chambers and the partially annular ducts forming a radial inner delivery chamber and a radial outer delivery chamber, and a connecting duct connecting the radial outer delivery chamber to the radial inner delivery chamber."

As recited in claim 1, there is a radial inner delivery chamber and a radial outer delivery chamber. Partial annular ducts 21, 22 facing the driven impeller 15 and the blade chambers form each delivery chamber 16, 17.¹ These two delivery chambers are connected via a connecting duct 29. As shown in Figure 2 of the present application, a connecting duct 29 connects inner and outer

¹ These descriptive details are provided only for the convenience of the Examiner as part of the discussion presented herein, and are not intended to argue limitations that are not claimed. Further, this is not intended to argue any interpretation of any claim term that is narrower than would be understood by one of ordinary skill in the art in the context of the specification and the claims as a whole.

radial delivery chambers 16 and 17. Fuel is delivered from the radial outer feed channel 17 to the radial inner feed channel 16, when the pressure within the radial inner feed channel 16 fails. (See Specification at p. 2). The connecting duct 29 is provided for this feeding of the fuel. The Office Action asserts this feature is shown in Figure 3 of Staab. Applicant respectfully disagrees with this interpretation of Staab.

Staab discloses a fuel pump with two inlets 8, 9 and a single outlet 13. The radial inner conveyor chamber 21 is connected with the radial outer conveyor chamber 22 by an overflow channel 14. Overflow 14 connects an end of delivery channel 12 with input chamber 11. The flow within the overflow channels 14 occurs from the radial inner channel to the radial outer channel. The fuel is delivered via the single outlet 13 by the radial outer conveyor chamber 22.

Staab's overflow 14 connects delivery channel 12 to a feed chamber 11. The overflow 14 is not equivalent to the claimed duct 29. Additionally, the flow direction within the overflow channel of Staab is opposite the direction flow through duct 29 of the present invention. Further, Staab discloses only one delivery chamber 12 as defined in the claim, in contrast to the two delivery chambers recited in claim 1. Thus, for at least these reasons, independent claim 1 is allowable over Staab.

Dependent claims 2-11 depend from, and contain all the limitations of claim 1. These dependent claims also recite additional limitations which, in combination with the limitations of claim 1, are neither disclosed nor suggested by Staab and are also directed towards patentable subject matter. Thus, claims 2-11 should also be allowed.

Claims 4-11 stand rejected under 35 USC §103(a) as being unpatentable over Staab. Applicant respectfully requests reconsideration and withdrawal of this rejection. As discussed above, Staab fails to anticipate claim 1. Claims 4-11 depend from, and contain all the limitations of

claim 1. These dependent claims also recite additional limitations which, in combination with the limitations of claim 1, are neither disclosed nor suggested by Staab and are also directed towards the patentable subject matter. Thus, claims 2-11 are deemed allowable.

Claim 12 stands rejected under 35 USC §102(b) as being anticipated by U.S. Patent Application 2004/0211396 ("Burhenne"). Applicant requests reconsideration and withdrawal of this rejection.

Among the limitations of claim 12 not present in Burhenne is "a radial outer delivery chamber that is connected to the internal combustion engine; a radial inner delivery chamber that is connected to a jet pump arranged inside the fuel tank; and a connecting duct connecting the radial outer delivery chamber to the radial inner delivery chamber."

As discussed above, there are two explicitly recited delivery chambers. Partial annular ducts 21, 22 facing the driven impeller 15 and the blade chambers form each delivery chamber. These chambers are shown in Figure 2 of the present application as inner and outer radial delivery chambers 16 and 17. A connecting duct 29 connects these two delivery chambers.

In the disclosure of Burhenne et al (US 2004/0211396 A1) two annular channels 16, 17 have a common channel 33 of the inlet region 12. Through this common channel 33 the two annular channels 16, 17 are supplied with fuel. There is no overflow of fuel in the channel 33 from the annular channel 16 to the other annular channel 17. Thus, Burhenne does not disclose a connecting duct as claimed.

Additionally, Burhenne does not disclose the claimed delivery chambers. In Burhenne, there are not two partially annular ducts facing the impeller creating channels 16 and 17. At best, there is a single partial annular channel 15. Thus, for this additional reason, claim 12 is allowable over Burhenne.

Claim 13 stands rejected under 35 USC §103(a) as being unpatentable over Burhenne. Dependent claim 13 depends from, and contains all of the limitations of claim 12. As discussed above Burhenne fails to anticipate claim 12. This dependent claim also recites additional limitations which, in combination with the limitations of claim 12, are neither disclosed nor suggested by Burhenne and are directed towards patentable subject matter. Thus, claim 13 is deemed allowable.

New claims 14-19 are allowable over Staab and Burhenne, whether taken alone or in combination for at least the reasons discussed above.

Applicant has responded to all of the rejections recited in the Office Action. In view of the above, each of the presently pending claims in this application is believed to be in condition for immediate allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is encouraged to contact the undersigned at the number listed below.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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